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May 16, 2016
Via E-file

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Honorable John G. Koeltl
United States District Court
Southern District of New York
United States Courthouse
Courtroom 12B
500 Pearl Street
New York, New York 10007

Re: *BARM and Mark Pergament, Chapter 7 Trustee of the
Estate of Gershon Barkany v. Yeshiva Darchai Torah et al.*
Civil Action No. 16-cv-872 (JGK)

Dear Honorable Justice Koeltl:

This firm represents Mark A. Frankel, Esq., the duly elected permanent chapter 7 trustee (the "Permanent Trustee") of the Estate of Gershon Barkany (the "Debtor"), and a co-plaintiff herein.

We write to request an adjournment of the initial court conference in this matter scheduled for May 19, 2016. Over the course of the past several weeks, the Permanent Trustee has been investigating and studying the best course of action for prosecuting this action (as well as several other pre-petition actions in which the Permanent Trustee has intervened). As a result, on Friday, May 13, 2016, the Permanent Trustee filed a motion in the U.S. Bankruptcy Court for the Eastern District of New York in the case of *In re Gershon Barkany* (Case No. 14-72941 (LAS)) (Doc 329) seeking, among other things, approval of an agreement which may affect the prosecution of this action (the "Motion").

A hearing on the Motion before Judge Louis A. Scarcella has been scheduled for June 9, 2016. Accordingly, the Permanent Trustee requests the Court adjourn the initial conference in this matter to at least **July 11, 2016** to allow sufficient time for the Bankruptcy Court to hear and determine the Motion. The co-plaintiff, Barkany Asset Recovery and Management, LLC, and all defendants who have been served have consented to the Permanent Trustee's request.

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The initial conference was originally scheduled for April 18, 2016 and was adjourned by letter request dated April 11, 2016 and supplemented by letter dated April 13, 2016 to May 19, 2016. No other requests have been made.

We are available at the Court's convenience if the Court has any questions, or would like any additional information.

Respectfully yours,



Maria A. Arnott

/mcg

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